

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER IRWIN, }
v. Plaintiff, } Civil Action No. 04-246 Erie
HEAD NURSE CHERYL McGAVITT, et al., Defendants. }

MEMORANDUM ORDER

Plaintiff's civil rights complaint was received by the Clerk of Court on August 27, 2004 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on March 21, 2007, recommended that the motion for summary judgment [Doc. # 63] filed by Defendants Head Nurse Cheryl McGavitt, Nurse Esther Jane Doe, and Nurse Jill Jane Doe be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at SCI Albion, where he is incarcerated, and on the Defendants. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 12th day of April, 2007;

IT IS HEREBY ORDERED that the motion for summary judgment [63] filed by Defendants Head Nurse Cheryl McGavitt, Nurse Esther Jane Doe, and Nurse Jill Jane Doe is GRANTED.

The report and recommendation of Magistrate Judge Baxter, dated March 21, 2007 [72] is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN
Sean J. McLaughlin
United States District Judge

cc: all parties of record
U.S. Magistrate Judge Baxter